

April 19, 2004
Regular Meeting

Minutes

Members Present: 5

Lloyd Davis-Chairman
Brent Hunter- Vice-Chairman
Roger Evans - Commissioner
Johnny Myers- Commissioner
D.C. Swaim- Commissioner

Members Absent: 0

Others Present:

Cecil E. Wood, County Manager
James Graham, County Attorney

Chairman Davis called the meeting to order. Attorney Graham led the invocation. Emily Prevette, Starmount High School President, led the pledge of allegiance.

Miss. Prevette highlighted her accomplishments and those of Starmount High School.

Public Hearing - Zoning

Chairman Davis opened the public hearing and turned the meeting over to Kim Bates, Zoning Supervisor.

Mr. Bates presented the following zoning requests for public comments:

- 1) Article 5 Board of Adjustment
Article 16. Conditional Uses

This amendment would transfer the duties from the Planning Board to the Board of Adjustment.

- 2) Timothy and Susan Mongeon, Falcon Road, Mt. Carmel Church Road request to change from residential restricted to residential institutional . Request was approved by the Planning Board.

Mr. Mongeon stated he would like to rezone the area to residential institutional to allow multi-family dwellings but exclude mobile homes.

Ms. Cook who lives next to the property spoke against the zoning request. She is concerned with the property value and traffic.

Thomas Keller who resides beside an existing multi family dwelling on the property is also concerned with property value and appearance.

David Doss adjoining landowner is concerned with the traffic; driveway to proposed duplex is long passing by several homes with children.

3) Robert Baldwin, Old Hwy 421 East, across from Speer Road Bridge Road, request to change from residential restricted to highway business. Request was approved by the Planning Board.

Henry Shore spoke in favor of the request; other businesses in the area.

Kay Smith adjoining property owner spoke against the rezoning due to the possibility of water degradation.

Mr. Bates responded that the property is in a watershed area and requires buffers to prevent degradation.

Ronnie Long, adjoining property owner, asked about the type of businesses that would be allowed and where would they be located?

Chairman Davis pointed out the area on the map.

Mr. Long was also concerned with the increase of traffic .

Richard Long spoke on behalf of his father who owns property adjacent to the proposed rezoned area; concerned with R-O-W and the effects of the rezoning for his father's property.

Mr. Bates stated the rezoning would not affect Mr. Long's property.

Mike Carter adjacent property owner was concerned with traffic.

4) Brent Matthews, Genie Road North, off Mill Hill Road request to change from rural agriculture to residential general. Planning Board approved the request.

Mr. Matthews stated he requested the rezoning to be able to sub-divide the property.

Lula Wooten, property owner across the road, concerned with the possibility of a mobile home park.

Chris Wooten, adjacent property owner, concerned with the how the property will be developed.

5) David Matthews, Hwy 67 and Charity Church Road request to change

from rural agriculture to residential general. Request denied by Planning Board.

India Trimble, Planning Coordinator, presented a letter from Bruce and Mary Stinson in support of the rezoning request.

Mr. Brent Matthews spoke on behalf of David Matthews requesting the Board allow him to subdivide the property. He stated the Planning Board previously approved the property across the road, but the Commissioners denied the request. Mr. Matthews commented he was never notified of the decision by the Commissioners.

Robert Malcolm adjacent property owner opposed the rezoning. He was concerned with water degradation.

Mr. Patterson who lives across from the proposed property is concerned with safety issues and water degradation. Mr. Patterson owns a timber business and has various equipment on this property.

6) Carl Holcomb, Memorial Road, east of Austin Company request to change from highway business to residential limited. Request approved by the Planning Board.

Jane Beamer adjacent property owner spoke in favor of the rezoning. Surrounding property has previously been rezoned; belongs to one family.

Chairman Davis closed the public hearing.

Chairman Davis recognized Ed Broyhill and Senator Andrew Brock.

Public comments

Peggy Boose, Boonville, discussed the CSE (Citizens for a Sound Economy) and invited everyone to the next meeting. She also addressed the Board regarding wasteful government spending.

Brady Wooten, Lone Hickory, addressed the Board concerning the amount of time given for discussions and the budget for 04-05.

Minutes

*Commissioner Swaim made the motion to approve the minutes. Commissioner Hunter seconded. **The Board voted 5-0.**

CSE(Citizens for a Sound Economy)-discussion

Freddie Dollinger, CSE Member, addressed the Board concerning the 04-05 budget, cost of the

proposed new animal shelter and the fund balance.

Animal Control- report from citizen

Alice Singh, Humane Society President, discussed the web site (petfinder.com) and how many hits it has received. The Society has adopted several animals through this site. She commended Henry and Jerry Hutchens, Animal Control Officers for their assistance. Ms. Singh reported on the recent rabies clinic; Dr. Shell 190 shots, Dr. Holt 155 shots and Dr. Arnold 140 shots. There will be another rabies clinic in November.

Zoning-appointments, set public hearing, corrections to zoning map

Kim Bates requested a public hearing for Nancy Drive, off Hoots Road.

*Commissioner Myers made the motion to set a public hearing for May 17th at 7:00p.m. Commissioner Hunter seconded. **The Board voted 5-0.**

*Commissioner Evans made the motion to reappoint Gray Gentry, Davis Wooten and Lowell Todd to serve on the Board of Adjustment. Commissioner Swaim seconded. **The Board voted 5-0.**

The Board tabled the appointments to the Planning Board.

Mr. Bates reviewed the corrections to the zoning map.

1) Johnny Groce is finalizing his MHP registration for property at the end of Jester Road. The map shows a small lot adjacent to the Groce property, owned by Susan Yuson, unintentionally zoned MHP. Original intent was to zone the Yuson property RA and the Groce property MHP. We can now use the surveyed park area to specifically designate as MHP on the zoning map. The owners are aware of the proposed correction.

2) Cabana Lane, off Genie Road, is part of an existing registered MHP owned by Charles Neese. The other half of this park was correctly zoned MHP, but Cabana Lane was unintentionally left in RA. We propose to include the entire park in MHP as intended. The owner has been notified.

*Commissioner Myers made the motion to make the corrections to the zoning map. Commissioner Hunter seconded. **The Board voted 5-0.**

Tax Administration-tax adjustments

*Commissioner Myers made the motion to approve the adjustments. Commissioner Hunter seconded. **The Board voted 5-0.**

NW Child Development- board appointments

*Commissioner Swaim made the motion to appoint Tonja Strickland and Sara Lawson to serve on the NW Child Development Council. Commissioner Hunter seconded. **The Board voted 5-0.**

Proclamation-National Day of Prayer

PROCLAMATION

WHEREAS, civic prayers and national days of prayer have a long and venerable history in our constitutional republic, dating back to the First Continental Congress in 1775; and

WHEREAS, the Declaration of Independence, our first statement as Americans of national purpose and identity, made the “ laws of Nature and of Nature’s God” the foundation of our United States of America and asserted that people have inalienable right that are God-given; and

WHEREAS, the Supreme Court has affirmed the right of state legislatures to open their sessions with prayer and the Supreme Court and the United States Congress themselves begin each day with prayer; and

WHEREAS, in 1988, legislation setting aside the first Thursday in May each year as a National Day of Prayer was passed unanimously by both Houses of Congress and signed by President Ronald Reagan; and

WHEREAS, the National Day of Prayer is an opportunity for Americans of all faiths to join in united prayer to acknowledge our dependence on God, to give thanks for blessings received, to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and her citizen; and

WHEREAS, it is fitting and proper to give thanks to God by observing a day of prayer in Yadkin County when all may acknowledge our blessings and express gratitude for them, while recognizing the need for strengthening religious and moral values in our state and nation; and

WHEREAS, this year marks the 53rd Annual National Day of Prayer;

NOW, THEREFORE , The Yadkin County Board of Commissioners, do hereby proclaim

May 6, 2004

as

A DAY OF PRAYER

Lloyd Davis, Chairman

*Commissioner Myers made the motion to adopt the proclamation. Commissioners Hunter and Evans seconded. **The Board voted 5-0.**

EMS-budget amendment

General Fund: Services & Development – EMS

<u>Description</u>	<u>Account Number</u>	<u>Original Budget</u>	<u>Increase (Decrease)</u>	<u>Amended Budget</u>
Employee Training	4330-3950	\$000.00	\$3,159.00	\$3,159.00
Capital Outlay Data Process	4330-5200	\$11,626.00	\$4,544.00	\$16,170.00
Capital Outlay Vehicles	4330-5400	\$86,000.00	\$47,867.00	\$133,867.00
Capital Outlay Other Equipment	4330-5500	\$50,606.00	\$56,311.00	\$106,917.00
Revenues EMS FY03-SHSGP Grant Part II	103315.3106	\$13,746.00	\$111,881.00	\$125,627.00

Purchase of fully equipped emergency management vehicle and trailer: radios, training manuals, safety equipment and tools.

*Commissioner Myers made the motion to approve the budget amendment for EMS. Commissioner Evans seconded. **The Board voted 5-0.**

Zoning-requests

The Board discussed the zoning requests and made following motions:

1. *Commissioner Hunter made the motion to approve Article 5 and Article 16-text amendments as recommended by the Planning Board. Commissioner Swaim seconded. **The Board voted 5-0.**

2. *Commissioner Swaim made the motion to approve the zoning request for Tim and Susan Mongeon to change from residential restricted to residential institutional as recommended by the Planning Board. Commissioner Evans seconded. **The Board voted 5-0. (see motion to reconsider).**

3. *Commissioner Myers made the motion to approve the zoning request for Robert Baldwin to change from residential restricted to highway business as recommended by the

Planning Board. Commissioner Evans seconded. **The Board voted 5-0.**

4. *Commissioner Evans made the motion to approve the request for Brent Matthews to change from rural agriculture to residential general as recommended by the Planning Board. Commissioner Swaim seconded. **The Board voted 5-0.**

5. *Commissioner Evans made the motion to deny the request for David Matthews to change from rural agriculture to residential general as recommended by the Planning Board. Commissioner Swaim seconded. **The Board voted 5-0.**

6.*Commissioner Evans made the motion to approve the request for Carl Holcomb to change from highway business to residential limited as recommended by the Planning Board. Commissioner Myers seconded. **The Board voted 5-0.**

Commissioner comments

Commissioner Evans inquired about delinquent taxes.

Attorney Graham stated letters have been sent to the lenders regarding back taxes and informed them the county would be foreclosing if taxes are not paid.

Commissioner Evans read the names of delinquent taxpayers.

Commissioner Hunter asked about the new hours at the landfill?

Mr. Adams stated there were some customers after twelve and he received several positive comments about the extended hours.

Commissioner Myers asked when is the communication engineer coming to the county?

Chairman Davis stated the Chiefs discussed this at their meeting. There are problems in the West Yadkin, Forbush and Courtney areas.

Commissioner Myers commented on the meetings with the Town of Jonesville and Yadkinville.

Chairman Davis stated the Board needs to take action on the Secondary Road Hearing.

*Commissioner Myers made the motion to approve the Secondary Road Program as presented by DOT. Commissioner Hunter seconded. **The Board voted 5-0.**

Chairman Davis presented a letter from Buncombe County asking the Board to support Commissioner David Young for 3rd Vice President.

The Board discussed Richmond Hill Law School.

Commissioner Evans will work with someone to get the repair work done at the school.

The Board discussed a petition from Charlie Hobson regarding Baltimore Road. The petition is to leave the name as is and only correct the house numbers.

*Commissioner Evans made the motion to leave Baltimore Road as is and correct the house numbers. Commissioner Hunter seconded. **The Board voted 5-0.**

Manager comments

Mr. Wood informed the Board of the only acceptable option as approved by the State to receive full funding for the Low Wealth reimbursements.

*Commissioner Myers made the motion to send a letter to the Board of Education obligating the County to fund the schools an additional \$97,582 to receive the additional \$600,000 of Low Wealth Funds. Commissioners Swaim and Hunter seconded. **The Board voted 5-0.**

Mr. Wood informed the Board about the information regarding Child Advocacy in their packets.

Mr. Wood informed the Board of the Legislative Briefing in Raleigh, May 19th and that Mr. Graham Fields of Senator Doles' office will be here Monday, April 26th at 10:00 to discuss economic development.

Closed Session

*Commissioner Swaim made the motion to go into closed session per G.S. 143-318.11(a)(3) to consult with the attorney. Commissioner Myers seconded. **The Board voted 5-0.**

Chairman Davis asked Attorney Ben Harding to stay for the session.

*Commissioner Myers made the motion to come out of closed session. Commissioner Swaim seconded. **The Board voted 5-0.**

Commissioner comments

*Commissioner Hunter made the motion to reconsider the vote on the Tim and Susan Mongeon's request to rezone their property. Commissioner Swaim seconded. **The Board voted 5-0.**

*Commissioner Swaim made the motion to approve the rezoning request for the Mongeon's property as recommended by the Planning Board. Commissioner Evans seconded. **The Board voted 4-1. Commissioner Hunter opposed.**

Adjourn

*Commissioner Hunter made the motion to adjourn. Commissioner Swaim seconded. **The Board voted 5-0.**

Melinda Vestal, Clerk to the Board